

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

<b>IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD- 02327 Wave 12: MDL 2327</b>  <b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>
<b>THIS DOCUMENT RELATES TO:</b>  <b>Debbie Kay Mitchell v. Ethicon, Inc. and Johnson &amp; Johnson</b>  <b>Case No. 2:13-cv-23706</b>	

**ORDER TO DISMISS DEFENDANTS WITHOUT PREJUDICE  
(PURSUANT TO PTO NO. 293 AS AMENDED BY PTO NO. 298 – NON-REVISION  
GYNECARE PRODUCTS)**

Pursuant to Pretrial Order No. 293 as Amended by PTO No. 298 (hereinafter collectively referred to as the “Non-Revision PTOs”), Debbie Kay Mitchell has agreed to dismiss Ethicon, Inc. and Johnson & Johnson (hereinafter referred to as the “Ethicon defendants”) without prejudice, and has filed an Election Form electing to “[d]ismiss [her] presently pending case without prejudice subject to the waiver provisions” in the Non-Revision PTOs. **For the cases listed on the attached exhibit, dismissal without prejudice applies to the Ethicon defendants only.**

The court **ORDERS** that the Ethicon defendants are **DISMISSED WITHOUT PREJUDICE** pursuant to the provisions of the Non-Revision PTOs and this case is **STRICKEN** from the active docket.

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<sup>1</sup> As used herein, “Ethicon Defendants” refers collectively to Johnson & Johnson, Ethicon LLC, Ethicon, Inc., as well as any of its former or present parent companies, subsidiaries, affiliated companies, directors, officers, design surgeons, employees, distributors, detail representatives named in an action pending in MDL No. 2327.

The court **DIRECTS** the Clerk to file a copy of this order in MDL No. \_\_\_\_\_ and in each case listed on the attached Exhibit(s) and to send a copy of this Order to counsel of record and any unrepresented party. The Clerk is further **DIRECTED** to link this Order to the Proposed Order to Dismiss filed at ECF No. \_\_\_\_\_.

ENTER:

**EXHIBIT A**

<b>MDL No.</b>	<b>Case Name</b>	<b>Last Name</b>	<b>First Name</b>
2:13-cv-23706	Mitchell, Debbie Kay	Mitchell	Debbie Kay